

APPEAL NO. 021449  
FILED JULY 17, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on May 21, 2002. The hearing officer resolved the disputed issue by determining that the appellant's (claimant) correct impairment rating (IR) is 13%, in accordance with the designated doctor's amended report. On appeal, the claimant contends that the designated doctor's report should not be afforded presumptive weight because he is a chiropractor, not a medical doctor, and because he did not rate the injury properly. The respondent (carrier) urges affirmance.

DECISION

Affirmed.

The claimant argues that the designated doctor, a chiropractor in this case, did not have the "credentials appropriate to the issue in question." It is not disputed that the designated doctor in this case was properly appointed and, as such, he was qualified to serve in the capacity of designated doctor. The claimant remained free to prove how the designated doctor's credentials or experience led to an improper or inaccurate IR.

Whether the great weight of the other medical evidence was contrary to the opinion of the designated doctor was a factual question for the hearing officer to resolve. It was for the hearing officer, as trier of fact, to resolve the inconsistencies and conflicts in the evidence. Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). The trier of fact may believe all, part, or none of the testimony of any witness. Aetna Insurance Company v. English, 204 S.W.2d 850 (Tex. Civ. App.-Fort Worth 1947, no writ). When reviewing a hearing officer's decision for factual sufficiency of the evidence, we should reverse such decision only if it is so contrary to the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); Pool v. Ford Motor Co., 715 S.W.2d 629, 635 (Tex. 1986). In this case, we are satisfied that the hearing officer's determination is sufficiently supported by the evidence.

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **TRAVELERS INDEMNITY COMPANY OF CONNECTICUT** and the name and address of its registered agent for service of process is

**C T CORPORATION SYSTEM  
350 NORTH ST. PAUL STREET  
DALLAS, TEXAS 75201.**

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Susan M. Kelley  
Appeals Judge

CONCUR:

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Robert W. Potts  
Appeals Judge

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Roy L. Warren  
Appeals Judge